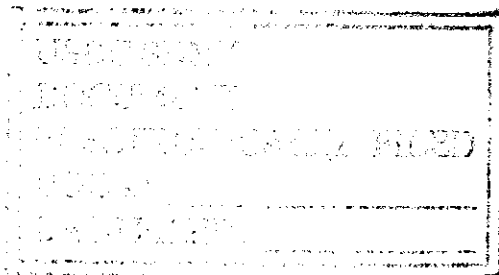


JA  
Jenthis MJ



IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK - WHITE PLAINS DIVISION

SCREWS & MORE, LLC.,

*Plaintiff,*

Civil Action No.:  
07-Civ3637 (KMK) (GAY)  
(WP4)(LMS/MDF/GAY)

-against-

PECORA CORP., KENSEAL CONSTRUCTION  
PRODUCTS CORP., & GARVIN BROWN CONSTRUCTION  
PRODUCTS, LLC.,

*Defendants.*

CIVIL CASE MANAGEMENT PLAN

1. This case is to be tried to a jury
2. Initial disclosures pursuant to Fed.R.Civ.P.26(a)(1) have been exchanged or shall be exchanged by October 26, 2007 which is within 30 days after service on the last defendant to be served.
3. No additional parties may be joined after January 31, 2008.
4. No pleadings may be amended after February 29, 2008.

5. All discovery, *including expert discovery*, must be completed on or before June 27, 2008. Plaintiff's disclosure conforming with Rule 26 of all information and the expert reports must be made no later than April 1, 2008. Defendants' expert and the expert reports must be made no later than April 30, 2008. Expert depositions must be completed by May 30, 2008.

6. The following discovery is necessary in order for the parties to be able to consider settlement prior to the completion of all discovery: any documents relating to communications among the Defendants or with Plaintiff, and it will be completed no later than April 30, 2008, after which the parties may request a settlement conference.

7. Any *in limine* motions, as well as proposed *voir dire* questions and proposed jury instructions, shall be served and filed no later than 60 days after the close of discovery. No pretrial order will be required unless specifically ordered by the Court.

8. No motion for summary judgment may be served after the date the pre-trial submissions are due. *The filing of a motion for summary judgment does not relieve the parties of the obligation to file the pre-trial submissions on the assigned date in the absence of an Order providing such relief.* Any opposition to a summary judgment motion shall be served and filed no later than 30 days after service of the motion; reply papers, if any, shall be served and filed no later than 15 days after service of the opposition. In the alternative, the parties will comply with a briefing schedule made in consultation with the court. *Page limits for such motions are governed by the designated Magistrate Judge's individual practices.*

9. Discovery disputes *will* be resolved under the White Plains Magistrate Judges standard Discovery Order. The existence of a discovery dispute will not result in any extension of the discovery deadline or trial ready date, absent an application to the court for good cause.

10. This scheduling order may altered or amended only on a showing of good cause not

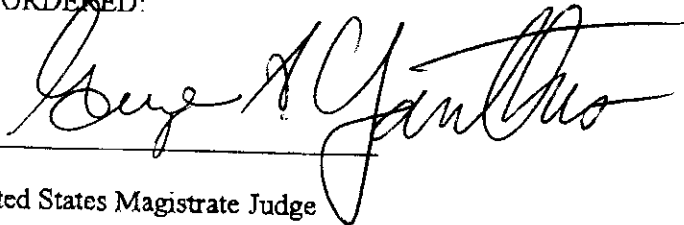
foreseeable at the time this order is entered. Counsel should not assume that extensions will be granted as a matter of routine.

11. Counsel must confer about the prospect of consenting to the jurisdiction of the designated Magistrate Judge for all purposes, including trial, pursuant to 28 U.S.C. § 636(c). If the parties consent, then all proceedings including trial, will take place before the designated Magistrate Judge. Consent forms for the purpose are available on the Court's website, and consent may occur at any time during the proceedings.

Dated: 9/17/07

White Plains, New York

SO ORDERED:

  
United States Magistrate Judge

*Telephone conference:*

*Scheduled for: 1-11-08 at 9:15 a.m.*

*TT to initiate the call to chambers.*

*Carly/DA*